THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.24710 of 2004

Dated: 03-08-2004

Between:

Shake Khaja Mohinuddin and others

…Petitioner(s)

a n d

The District Collector (CS), Nalgonda, Nalgonda District and others

…Respondent(s)

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ORDER:

There is no necessity of going into all the details. The petitioners were appointed as Hawkers. According to the respondents, the appointment of the petitioners as Hawkers for sale of Kerosene Oil was done contrary to the ban imposed by the higher authorities. Therefore, by the impugned proceedings No.B/2700/2004 dated 30.11.2004 the Mandal Revenue Officer, Nadigudem, who is the third respondent herein, passed orders cancelling the appointment of Hawkers stating that after due verification of records relating to appointment of Hawker existing in the Mandal, it was found that the petitioners were appointed despite the imposition of ban on recruitment of Hawkers i.e. after cut off date 25.04.2004.

Admittedly, no notice of any kind was issued to the petitioners before cancelling their appointment as Hawkers/Kerosene retail dealers. In view of the above, the impugned orders suffer from gross violation of principles of natural justice. Therefore, the impugned orders passed by the third respondent dated 30.11.2004 cancelling the appointment of the petitioners as Hawkers with effect from 02.12.2004 are hereby set aside.

The writ petition is therefore allowed and the petitioners are

entitled to continue and do their business on usual terms. However, this order will not preclude the authorities from taking any appropriate action as per law, if any, necessary in this regard. No order as to costs.

03.08.2006

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